

Serious USA, Inc. vs. CD Digital, et al.

Case Number 08 CIV 4808

## SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	5/27/08 1:26 PM
NAME OF SERVER (PRINT) Jbel S. Carlson	TITLE	Process Server
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: 4668 Murray Ave., St Paul, MN 55110 <b>Personally upon Tom VanDerpool, CEO of Onedisc.com, Inc.</b> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. <input type="checkbox"/> Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	<u>5/27/08</u> <small>Date</small>  <small>Signature of Server</small>	
CLSS - NationWide Service Center (NWSC) 2522 Lower Mason Creek Road Bandera, TX 78003		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

*ORIGINAL*

Documents to be Served

Work Order

3286100.55553

Serve Docs To: **ONEDISC.COM, INC.**

CIVIL ACTION SUMMONS; CIVIL COVER SHEET; COMPLAINT FOR PATENT INFRINGEMENT; EXHIBIT(S) A THRU "I"; RULE 7.1 STATEMENT; INDIVIDUAL PRACTICES OF JUDGE SIDNEY H. STEIN; CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE; CRITICAL INSTRUCTIONS TO ATTORNEYS; GUIDELINES FOR ELECTRONIC CASE FILING; PROCEDURES FOR ELECTRONIC CASE FIING; INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK; CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Serious USA, Inc., Serious IP, Inc.  
and DXPDD, LLC

SUMMONS IN A CIVIL ACTION

v.

CD Digital Card, et al.  
(Please see the attached addendum)

CASE NUMBER:

08 CV 48087

TO: (Name and address of Defendant)

CD Digital Card  
11150 White Birch Drive  
Rancho Cucamonga, California 91730

ONEDISC.COM, INC.

(Please see the attached addendum)

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Seth H. Ostrow, Esq.  
Dreier LLP  
499 Park Avenue  
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MAY 22 2008

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

**SUMMONS IN A CIVIL ACTION ADDENDUM**

**PLAINTIFFS:**

Serious USA, Inc., Serious IP, Inc. and DXPDD, LLC

**DEFENDANTS:**

CD Digital Card; CD Works; Disc Makers; IMX Solutions, Inc.;  
Infinite Marketing Inc.; Ingram Micro Inc.; L&M Optical Disc, LLC;  
Microvision Development, Inc.; Onedisc.Com, Inc.; Sonarus Corporation

**DEFENDANTS' ADDRESSES:**

CD Digital Card  
11150 White Birch Drive  
Rancho Cucamonga, California 91730

CD Works  
1266 Soldiers Field Road  
Boston, Massachusetts 02135

Disc Makers  
16 West 18th Street  
New York, New York 10011

IMX Solutions, Inc.  
210 E. Third Street, Suite 202  
Royal Oak, Michigan 48067

Infinite Marketing Inc.  
3475 Lenox Road, Suite 400  
Atlanta, Georgia 30326

Ingram Micro Inc.  
1759 Wehrle Drive  
Williamsville, New York 14221

L&M Optical Disc, LLC  
303 Louisiana Ave  
Brooklyn, New York 11207

Microvision Development, Inc.  
5541 Fermi Ct., Suite 120  
Carlsbad, California 92008

Onedisc.Com, Inc.  
4668 Murray Avenue  
St. Paul, Minnesota, 55110-3425

Sonarus Corporation  
1597 Washington Pike, Suite B14-265  
Bridgeville, Pennsylvania 15017